



Attorney Docket No. 088305-0130

EDW. AF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant: Jan RENWICK, et al.
Title: A PROCESS FOR CREATING A TRADING PARTNER PROFILE
Application No.: 09/748,143
Filing Date: December 27, 2000
Examiner: Charles, Debra F.
Art Unit: 3624

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
AND SUBMISSION OF REVISED APPEAL BRIEF**

Mail Stop APPEAL BRIEFS - PATENTS

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Response is responsive to the Notification of Non-Compliant Appeal Brief dated August 2, 2006, concerning the above-identified application. The Response is being timely filed and no fee is believed to be due.

With respect to paragraph 6 in the Notification, it is asserted that the Appeal Brief does not present an argument under a separate heading for each ground of rejection on appeal. A Revised Appeal Brief is attached to address this alleged problem with the previously filed Revised Appeal Brief.

Accordingly, applicants believe that the appeal brief is compliant with all the applicable rules. If the examiner believes otherwise, the examiner is encouraged to contact the undersigned attorney at the local telephone number below.

In view of above, appellants respectfully solicit the Honorable Board of Patent Appeals and Interferences to reverse the rejection of the pending claims and pass this application on to allowance.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.

Respectfully submitted,

Date August 15, 2006

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REVISED APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS

P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Under the provisions of 37 C.F.R. § 41.37, this Appeal Brief is being filed together with a credit card payment form in the amount of \$500.00 covering the 37 C.F.R. 41.20(b)(2) appeal fee. If this fee is deemed to be insufficient, authorization is hereby given to charge any deficiency (or credit any balance) to the undersigned deposit account 19-0741.

1. REAL PARTY IN INTEREST

The real party in interest is GXS, Inc. (with a principle place of business in Gaithersburg, Maryland), which is the changed name of the assignee of record, G.E. Information Services, Inc., a corporation under the laws of the State of Delaware.

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2. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences that will directly affect, be directly affected by or have a bearing on the present appeal, that are known to appellant, the assignee, or the appellant's patent representative.

3. STATUS OF CLAIMS

The present appeal is directed to claims 1 and 4-14 which are the claims under consideration. A copy of the pending claims 1 and 4-14 are attached herein in the Claims Appendix (Section 8).

Claims 1, 13, and 14 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,408,303 to Richards (hereafter "Richards"), U.S. Patent No. 5,862,325 to Reed et al. (hereafter "Reed") and U.S. Patent Application Publication No. 2001/0043234 to Kotamarti (hereafter "Kotamarti").

Claims 4 and 5 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over Richards, Reed, and Kotamarti as applied to claim 1 above, and further in view of U.S. Patent No. 6,662,197 to LeCrone et al. (hereafter "LeCrone").

Claims 6-9 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over Richards, Reed, and Kotamarti as applied to claim 1 above, and further in view of U.S. Patent No. 6,418,400 to Webber (hereafter "Webber").

Claims 11 and 12 are finally rejected under 35 U.S.C. §103(a) as being unpatentable over Richards, Reed, Kotamarti, Le Crone, and Webber.

Claim 10 is finally rejected under 35 U.S.C. §103(a) as being unpatentable over Richards, and Reed as applied to claim 1 above, and further in view of Webber and U.S. Patent No. 5,202,977 to Pasetes, Jr. et al. (hereafter "Pasetes").

4. STATUS OF AMENDMENTS

Claims 1-13 were initially pending in the application filed on December 27, 2000.

Claim 14 was added in an Amendment and Reply filed on September 28, 2004, in reply to an initial Office Action mailed on July 14, 2004.

A Reply was filed on February 15, 2005, in reply to a non-final Office Action mailed on December 2, 2004.

Claims 1, 4, 11, and 14 were amended and claims 2 and 3 were canceled in an Amendment and Reply filed on August 18, 2005, in reply to a non-final Office Action mailed on May 20, 2005.

A Reply was filed on February 28, 2006, in reply to a final Office Action mailed on November 30, 2005, which rejected all of the claims under consideration (claims 1 and 4-14). An Advisory Action, mailed on April 28, 2006, stated that the application was not in condition for allowance after consideration of the Reply.

This Appeal Brief is being filed within the statutory two month period after the filing of the Notice of Appeal on May 16, 2006.

5. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claims 1, 11, and 14 recite a method for processing an inbound document received from a trading partner in a business-to-business electronic commerce data processing system.

Independent claim 1 recites a method for processing an inbound document received from a trading partner in a business-to-business electronic commerce data processing system. See page 5, lines 13-17. The method includes storing templates for automatically creating trading partner profiles. See page 6, line 25 to page 7, line 27. The method includes receiving an inbound document from a trading partner and determining if a profile for said trading partner is stored in a profile database. See page 2, lines 1-5. If no such profile is

stored, automatically creating a profile by: retrieving a template associated with the inbound document; reading the template to determine what data is to be extracted from the inbound document and extracting said data; and creating a profile record for the trading partner in the profile database and populating said profile record with said extracted data. See page 2, lines 7-13; page 5, lines 19-22; and page 7, lines 1-6 and lines 29-31.

The profile is automatically created only if an auto-creation flag is pre-set, and wherein the system stores an auto-creation flag for each of a plurality of interworking standards, and the system determines the relevant standard associated with the received inbound document and determines if there is an auto-creation flag set for the determined standard. See page 2, lines 15-21; page 3, lines 7-14; and page 5, line 26 to page 6, line 17; and page 8, lines 6-19.

Claim 11 recites a method for processing an inbound document received from a trading partner in a business-to-business electronic commerce data processing system. See page 5, lines 13-17. The method includes storing templates for automatically creating trading partner profiles. See page 6, line 25 to page 7, line 27. The method includes receiving an inbound document from a trading partner, determining if a profile for said trading partner is stored in a profile database. See page 2, lines 1-5. If no such profile is stored, automatically creating a profile by retrieving a template associated with the inbound document; reading the template to determine what data is to be extracted from the inbound document and extracting said data, and creating a profile record for the trading partner in the profile database and populating said profile record with said extracted data. See page 2, lines 7-13; page 5, lines 19-22; and page 7, lines 1-6 and lines 29-31.

The automatic creation of a profile is initiated by an exception event being raised, and reading a set of exception flags to determine if an auto-creation flag is set wherein an auto-creation flag is stored for each of a plurality of interworking standards and the automatic creation of the profile is initiated only if the auto-creation flag is set for the particular interworking standard associated with the inbound document. See page 2, lines 15-21; page 3, lines 7-14; and page 5, line 26 to page 6, line 17; and page 8, lines 6-19.

The system reads an interchange template to determine data to be extracted from an interchange envelope, a functional group template to determine data to be extracted from a functional group envelope, and a message template to determine data to be extracted from a message envelope. See page 6, line 19 to page 8, line 4.

Independent claim 14 recites a program product for processing an inbound document received from a trading partner in a business-to-business electronic commerce data processing system. See program logic shown on page 5, lines 13-17. The program product includes logic for storing templates for automatically creating trading partner profiles. See page 6, line 25 to page 7, line 27. The program product includes logic for receiving an inbound document from a trading partner, determining if a profile for said trading partner is stored in a profile database. See page 2, lines 1-5. If no such profile is stored, automatically creating a profile by: retrieving a template associated with the inbound document; reading the template to determine what data is to be extracted from the inbound document and extracting said data; and creating a profile record for the trading partner in the profile database and populating said profile record with said extracted data. See page 2, lines 7-13; page 5, lines 19-22; and page 7, lines 1-6 and lines 29-31.

The profile is automatically created only if an auto-creation flag is pre-set, and wherein the system stores an auto-creation flag for each of a plurality of interworking standards, and the system determines the relevant standard associated with the received inbound document and determines if there is an auto-creation flag for said standard. See page 2, lines 15-21; page 3, lines 7-14; and page 5, line 26 to page 6, line 17; and page 8, lines 6-19.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The issue on appeal is whether the examiner erred:

in rejecting claims 1, 13, and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,408,303 to Richards (hereafter “Richards”), U.S. patent 5,862,325 to Reed et al.

(hereafter “Reed”) and U.S. patent application publication 2001/0043234 to Kotamarti (hereafter “Kotamarti”);

in rejecting claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Richards, Reed and Kotamarti, as applied to claim 1 above, and further in view of U.S. patent 6,662,197 to LeCrone et al. (hereafter “LeCrone”);

in rejecting claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Richards, Reed, and Kotamarti as applied to claim 1 above, and further in view of U.S. patent 6,418,400 to Webber (hereafter “Webber”);

in rejecting claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Richards, Reed, Kotamarti, LeCrone, and Webber; and

in rejecting claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Richards and Reed, as applied to claim 1 above, and further in view of Webber and U.S. patent 5,202,977 to Pasetes, Jr. et al. (hereafter “Pasetes”).

7. ARGUMENT

It is respectfully submitted that the applied rejections of the pending claims are erroneous for at least the following reasons.

A. Rejection of Claims 1, 13 and 14 Over Richards, Reed, and Kotamarti

Each of the pending independent claims 1 and 14 recites a method (or program product) for processing an inbound document received from a trading partner in a business-to-business electronic data processing system in which, *inter alia*, (1) an auto-creation flag is stored for each of a plurality of interworking standards, and (2) a trading partner profile is automatically created from a template only if the system determines that an auto-creation flag is set for the particular interworking standard determined to be associated with the received inbound document. Neither of the above two features are disclosed or suggested by the applied prior art.

Specifically, the office action acknowledges that neither Richards nor Reid disclose or suggest these features. The office action then alleges that Kotamarti discloses this feature and cites to figures 3, 5, 7, 8, and paragraphs 80-92 for this proposition. However, this disclosure of Kotamarti has nothing to do with the claimed features of (1) an auto-creation flag is stored for each of a plurality of interworking standards, and (2) a trading partner profile is automatically created from a template only if the system determines that an auto-creation flag is set for the particular interworking standard determined to be associated with the received inbound document. The cited portions of Kotamarti only relates to *executing* particular preset functions (i.e., a macro or a set of instructions as discussed in paragraph 29) when rendering a web based GUI in an audio modality. The office action cites to paragraph 91 as being particularly relevant but this paragraph merely discloses loop processing of the set of instructions contained in a preset (or macro) and has simply nothing to do with the claimed *creation of a trading party profile* from a template only if an auto-creation flag is stored for a particular interworking standard that is determined to be associated with the received inbound document.

Therefore, since none of these references disclose these claimed features, their reasonable combination (even if proper which we do not believe to be the case) necessarily does not teach or suggest these claimed features. Accordingly, the office action fails to make a *prima facie* case of obviousness as required by section 103.

The recited features provides the advantage that it allows the user to create templates that include default information for the particular interworking standards for which the auto-creation flag has been set. In fact, the type of templates may also be set for different standard levels as disclosed, for example, on page 6, lines 12-24 of the specification. Therefore, the applied prior art does not disclose either the specifically recited features or its advantages.

B. Rejection of Claims 4 and 5 Over Richards, Reed, Kotamarti and LeCrone

Claims 4 and 5 depend either directly or indirectly from claim 1, and are patentable for the reasons provided above with respect to the rejection of claim 1, whereby LeCrone does not rectify the above-mentioned deficiencies of Kotomarti, Richards, and Reed.

C. Rejection of Claims 6-9 Over Richards, Reed, Kotamarti and Webber

Claims 6-9 depend either directly or indirectly from claim 1, and are patentable for the reasons provided above with respect to claim 1, whereby Webber does not rectify the above-mentioned deficiencies of Kotamarti, Richards, and Reed as provided above with respect to the rejection of claim 1.

D. Rejection of Claims 11 and 12 Over Richards, Reed, Kotamarti, LeCrone and Webber

Pending independent claim 11 recites a method for processing an inbound document received from a trading partner in a business-to-business electronic data processing system in which, *inter alia*, (1) an auto-creation flag is stored for each of a plurality of interworking standards, and (2) a trading partner profile is automatically created from a template only if the system determines that an auto-creation flag is set for the particular interworking standard determined to be associated with the received inbound document. Neither of the above two features are disclosed or suggested by the applied prior art.

Specifically, the office action acknowledges that neither Richards nor Reid disclose or suggest these features. The office action then alleges that Kotamarti discloses this feature and cites to figures 3, 5, 7, 8, and paragraphs 80-92 for this proposition. However, this disclosure of Kotamarti has nothing to do with the claimed features of (1) an auto-creation flag is stored for each of a plurality of interworking standards, and (2) a trading partner profile is automatically created from a template only if the system determines that an auto-creation flag is set for the particular interworking standard determined to be associated with the received inbound document. The cited portions of Kotamarti only relates to *executing* particular preset functions (i.e., a macro or a set of instructions as discussed in paragraph 29) when rendering a web based GUI in an audio modality. The office action cites to paragraph 91 as being particularly relevant but this paragraph merely discloses loop processing of the set of instructions contained in a preset (or macro) and has simply nothing to do with the claimed *creation of a trading party profile* from a template only if an auto-creation flag is stored for a particular interworking standard that is determined to be associated with the received inbound document.

Therefore, since none of these references disclose these claimed features, and since LeCrone does not rectify the above-mentioned deficiencies of Richards, Reed and Kotamarti,

their reasonable combination (even if proper which we do not believe to be the case) necessarily does not teach or suggest these claimed features. Accordingly, the office action fails to make a *prima facie* case of obviousness of claim 11 as required by section 103.

The recited features provides the advantage that it allows the user to create templates that include default information for the particular interworking standards for which the auto-creation flag has been set. In fact, the type of templates may also be set for different standard levels as disclosed, for example, on page 6, lines 12-24 of the specification. Therefore, the applied prior art does not disclose either the specifically recited features of claim 11 or its advantages.

E. Rejection of Claim 10 Over Richards, Reed, (Kotomarti), Webber and Pasetes

It is noted that this rejection should have been indicated in the final Office Action as being over the combination of Richards, Reed, Kotomarti, Webber and Pasetes, since claim 10 depends from claim 1, and since claim 1 was rejected over the combination of Richards, Reed and Kotomarti. Claim 10 is patentable for the reasons provided above with respect to claim 1, whereby neither Webber nor Pasetes rectifies the above-mentioned deficiencies of Richards, Reed and Kotomarti as discussed above with respect to the rejection of claim 1.

CONCLUSION

In view of above, appellants respectfully solicit the Honorable Board of Patent Appeals and Interferences to reverse the rejections of the pending claims and pass this application on to allowance.

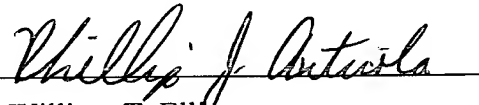
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Respectfully submitted,

Date August 15, 2006

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8. CLAIMS APPENDIX

LIST OF THE PENDING CLAIMS (WITH STATUS IDENTIFIERS)

1. (Previously Presented) A method for processing an inbound document received from a trading partner in a business-to-business electronic commerce data processing system, the method comprising the steps of:

storing templates for automatically creating trading partner profiles,

receiving an inbound document from a trading partner,

determining if a profile for said trading partner is stored in a profile database, and if no such profile is stored, automatically creating a profile by:

retrieving a template associated with the inbound document;

reading the template to determine what data is to be extracted from the inbound document and extracting said data; and

creating a profile record for the trading partner in the profile database and populating said profile record with said extracted data,

wherein the profile is automatically created only if an auto-creation flag is pre-set, and

wherein the system stores an auto-creation flag for each of a plurality of interworking standards, and the system determines the relevant standard associated with the received inbound document and determines if there is an auto-creation flag set for the determined standard.

2-3. (Cancelled)

4. (Previously Presented) A method as claimed in claim 1, wherein the auto-creation flag is stored in an exception flag dataset.

5. (Original) A method as claimed in claim 4, wherein the exception flag dataset includes flags for control number discrepancy, count number discrepancy, missing trailer, header parsing failure, source message error, and target message error, exception events.

6. (Original) A method as claimed in claim 1, wherein there is at least one interchange template, and each such template is associated with an interworking interchange envelope.

7. (Original) A method as claimed in claim 1, wherein there is at least one functional group template, and each such template is associated with a functional group envelope.

8. (Original) A method as claimed in claim 1, wherein there is at least one message template, and each such template is associated with a message envelope.

9. (Original) A method as claimed in claim 6, wherein there is at least one message template for each of:

- a specific version of an interworking standard and specific message type;
- a standard with any version; and
- any version and any message for a specific standard.

10. (Original) A method as claimed in claim 1, wherein each template is associated with a stored template record, each said record comprising:

a key having a substitution label and a value, said substitution label being associated with a value entry field of the template, and wherein:

the step of reading the template to determine data to be extracted comprises assigning the label to a variable name of the inbound document, and said variable name is read from the inbound document.

11. (Previously Presented) A method for processing an inbound document received from a trading partner in a business-to-business electronic commerce data processing system, the method comprising the steps of:

- storing templates for automatically creating trading partner profiles,
- receiving an inbound document from a trading partner,

determining if a profile for said trading partner is stored in a profile database, and if no such profile is stored, automatically creating a profile by:

retrieving a template associated with the inbound document;

reading the template to determine what data is to be extracted from the inbound document and extracting said data; and

creating a profile record for the trading partner in the profile database and populating said profile record with said extracted data, and in which:

automatic creation of a profile is initiated by an exception event being raised, and reading a set of exception flags to determine if an auto-creation flag is set wherein an auto-creation flag is stored for each of a plurality of interworking standards and the automatic creation of the profile is initiated only if the auto-creation flag is set for the particular interworking standard associated with the inbound document, and

the system reads an interchange template to determine data to be extracted from an interchange envelope, a functional group template to determine data to be extracted from a functional group envelope, and a message template to determine data to be extracted from a message envelope.

12. (Original) A method as claimed in claim 11, wherein the templates are retrieved from a map component file associated with the interworking standard of the inbound document.

13. (Original) An electronic commerce data processing system comprising means for performing the steps of claim 1.

14. (Previously Presented) A program product for processing an inbound document received from a trading partner in a business-to-business electronic commerce data processing system, said program product comprising machine-readable program code for causing, when executed, one or more machines to perform the following method steps:

storing templates for automatically creating trading partner profiles,
receiving an inbound document from a trading partner,

determining if a profile for said trading partner is stored in a profile database, and if no such profile is stored, automatically creating a profile by:

retrieving a template associated with the inbound document;

reading the template to determine what data is to be extracted from the inbound document and extracting said data; and

creating a profile record for the trading partner in the profile database and populating said profile record with said extracted data,

wherein the profile is automatically created only if an auto-creation flag is pre-set, and wherein the system stores an auto-creation flag for each of a plurality of interworking standards, and the system determines the relevant standard associated with the received inbound document and determines if there is an auto-creation flag for said standard.

9. EVIDENCE APPENDIX

None.

10. RELATED PROCEEDINGS APPENDIX

None.